

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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TODD KREISLER,

Plaintiff,

**Civil Action No.: 12 Civ. 4052 (PAE)
ECF CASE**

v.

KAIS ABID d/b/a PAPA JOHN'S,
PARKER EAST 24th APARTMENTS, LLC,
a New York limited liability company,
and 305 EAST 24TH OWNERS CORP.,
a New York corporation,

**PLAINTIFF'S REQUEST FOR
ENTRY UPON LAND FOR
INSPECTION AND OTHER
PURPOSES**

Defendants,

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COMES NOW Plaintiff, TODD KREISLER, by and through his undersigned counsel, and pursuant to Rule 34 of the Federal Rules of Civil Procedure, request entry upon the Defendants' property, known as PAPA JOHN'S, located at 432 2nd Avenue, New York, New York for the purpose of inspecting, measuring, surveying, photographing, and testing or sampling the property within the scope of Rule 26(b). The area of inspection shall be the following:

1. Any and all entrances and Path(s) of Travel areas provided for use by the public;
2. Any all areas which are provided for use by the public, customers, and invitees;
3. All access(es) to goods and services throughout the facility;
4. Any and all areas of the fast food restaurant known as Papa John's relevant to this lawsuit.
5. All other areas cited in the Complaint as being in violation of the ADA.

The date for said entry shall March 13, 2013 at 10:30 a.m. and shall continue until Plaintiff's inspection shall have completed. In the event the inspection is not completed in one inspection, same shall be continued on a mutually agreeable time and date.

s/ Adam T. Shore

Adam T. Shore, Esq.

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CERTIFICATE OF SERVICE

The undersigned, Adam T. Shore, Esq., hereby certifies that a true and correct a copy of the foregoing was served via e-mail and mail upon: Gary S. Ehrlich, Esq., Cantor, Epstein & Mazzola, LLP, Attorneys for 305 East 24th Street Owners Corp., 49 West 27th Street, 7th Floor, New York, New York, and Brank Frank, Esq., The Law Firm of Barry N. Frank & Associates, PC, attorney for Kais Abid, d/b/a Papa John's, 440 West 34th Street, Suite 301, Fort Lee, NJ 07024, this 11th day of February 2013.

/s/ Adam T. Shore

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